

# **Exhibit A**

## **(State Court Documents)**

TO: Sysco Columbia, LLC,

YOU ARE HEREBY summoned and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your answer to said Complaint on the subscribers at their offices, The Carolina Law Group, 910 E. Washington Street, Greenville, South Carolina 29601, within thirty (30) days after service hereof, exclusive of the day of service; and if you fail to answer the Complaint within the time aforesaid, Plaintiff will apply to the Court and judgment by default will be rendered for the relief demanded in the Complaint.

Respectfully submitted,

S/ J. Matthew Whitehead  
J. Matthew Whitehead (SC Bar #73803)  
Nihar M. Patel (SC Bar #74166)  
THE CAROLINA LAW GROUP, LLC  
P.O. Box 5192 (29606)  
910 E. Washington Street (29601)  
Greenville, SC

Greenville, SC

Attorneys for Plaintiff

February 16, 2021

Plaintiff, Patricia Walker, complaining of Defendant, Sysco Columbia, LLC, respectfully  
alleges and shows unto the Court that:

1. Plaintiff, Patricia Walker, is a citizen and resident of Greenville County, State of South Carolina.

2. Upon information and belief, Sysco Columbia, LLC, is and at all relevant times was, a limited liability company organized and existing by virtue of the laws of the State of Delaware, is authorized and licensed to do business in the State of South Carolina, and does business in Greenville County, South Carolina

3. The incident that gives rise to this action occurred in Greenville County, State of South Carolina.

4. Venue and jurisdiction are proper in this Court.

**FOR A FIRST CAUSE OF ACTION  
(Negligence, Gross Negligence and Recklessness)**

5. Upon information and belief, Defendant is a vendor of institutional food and operates a delivery service of these goods by and through its drivers.

6. Upon information and belief, the hotel Plaintiff worked for in April 2018, Hampton Inn located at 255 Congaree Road in Greenville, South Carolina, maintained an account with Defendant for various institutional food supplies.

7. On April 13, 2018, Defendant made a delivery to Hampton Inn while Plaintiff was working.

8. Defendant's driver unloaded the items, while dangerously and carelessly stacking them up without properly securing them when he knew or should have known the stacked goods were unstable and likely to fall.

9. Plaintiff was in the vicinity of the stacked goods when, due to Defendant's negligence, the stacked goods fell onto her, causing her to sustain serious bodily injury.

10. Upon information and belief, at all times relevant herein, Defendant's driver was an employee of Defendant and was acting within the course and scope of his employment and/or agency with Defendant.

11. Defendant had a duty to exercise reasonable care to protect Plaintiff from injury while making a delivery on the premises.

12. Defendant had a duty to warn Plaintiff of any dangerous conditions on the premises relating to Defendant's delivery.

13. Defendant violated its duty to use reasonable care to protect and warn Plaintiff, and Plaintiff's injuries and damages were directly and proximately caused by Defendant's negligent, grossly negligent, reckless, willful and wanton acts and/or omissions in one or more of the following ways:

(a) In failing to properly train and supervise its employees and agents;

- (b) In failing to maintain goods, supplies and/or premises in such a manner that such goods, supplies and/or premises would not present a hazardous condition and cause injury;
- (c) In failing to properly unload, stack, align or otherwise secure the goods being delivered;
- (d) In failing to discover or make reasonable inspections to discover, observe and/or remedy hazardous conditions on the premises and to take reasonable steps to protect Plaintiff from such conditions;
- (e) In failing to establish and carry out regular and frequent inspections for such conditions;
- (f) In failing to implement effective preventive measures, policies and/or procedures designed to eliminate or reduce the danger posed by such conditions and/or actions;
- (g) In failing to properly advise, train and/or warn with respect to the unloading of goods at a customer's premises;
- (h) In failing to enact proper policies and procedures to prevent Plaintiff, or others similarly situated, from being exposed to the dangerous conditions associated with the unloading or delivery of goods;
- (i) In failing to adequately warn Plaintiff as to any dangers that may be present; and
- (j) In any such manner Plaintiff may discover through discovery and/or trial.

15. As a direct and proximate result of Defendant's negligence, gross negligence, recklessness, and willful and wanton acts and/or omissions, Plaintiff suffered serious physical injuries and permanent disabilities, has endured pain and suffering, has suffered mentally and emotionally, and has incurred, and may continue to incur, extensive medical expenses and lost wages, and has otherwise been damaged and injured.

16. Plaintiff is entitled to judgment against Defendant for actual, compensatory and exemplary or punitive damages for her personal injuries in an amount that is fair, just and

reasonable under the circumstances, plus whatever costs, interest and attorneys' fees to which she may be entitled to be determined by a jury.

WHEREFORE, Plaintiff, Patricia Walker, prays for judgment against Defendant, Sysco Columbia, LLC, for an amount to be ascertained by the jury at the trial of this action for all damages, actual, consequential and punitive, for the costs of this action, prejudgment and postjudgment interest, attorneys' fees, and for such other and further relief, in law or in equity, as this Court shall deem just and proper.

S/J. Matthew Whitehead

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